

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 11, 2024

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Byron Thomas Ginn

Case Number: 0980 2:19CR00033-TOR-1

Address of Offender: [REDACTED] Airway Heights, Washington 99001

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: May 16, 2022

Original Offense: Theft of Government Property , 18 U.S.C. § 641

Original Sentence: Probation - 60 months

Type of Supervision: Probation

Asst. U.S. Attorney: Ann Wick

Date Supervision Commenced: May 16, 2022

Defense Attorney: Molly Marie Winston

Date Supervision Expires: May 15, 2027

PETITIONING THE COURT

To issue a summons.

On May 20, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Ginn, as outlined in the judgement and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

1	<p><u>Standard Condition #5:</u> You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 calendar days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.</p>
---	--

Supporting Evidence: On or about July 31, 2024, Byron Ginn allegedly violated standard condition number 5 by failing to report a change in his living arrangement at least 10 calendar days prior to the change.

On August 23, 2024, this officer contacted Mr. Ginn to arrange a home visit. The offender stated he was at work. He was then asked to contact the undersigned once he got off of work so we could then meet at his residence, but Mr. Ginn suggested he was planning to visit with his son after he got off of work. This officer thus explained that home visits are a required element of supervision, and the offender was assured that this officer would make the visit quick, as it would be after regular business hours for the probation officer as well.

Prob12C

Re: Ginn, Byron Thomas
September 10, 2024
Page 2

Later that evening, on August 23, 2024, after the offender failed to contact this officer, the undersigned attempted to contact him at approximately 5:51 p.m. When the offender failed to answer, this officer sent him a text message instructing him to report to the U.S. Probation Office at 8 a.m. on August 27, 2024. Mr. Ginn did not attempt to call this officer, but shortly thereafter, sent a text message insisting he misunderstood the instructions and confirmed that he would report as instructed.

On August 27, 2024, the offender reported to the probation office as instructed. During that meeting, Mr. Ginn claimed he believed this officer was going to call him after he got off of work, although the undersigned would have no way of knowing exactly what time he finished his work day.

He then stated he had spoken with his attorney and was informed that a motion for early termination could take months, so he wanted to instead proceed with requesting relocation to Idaho. This officer explained that a request for relocation would not be processed until a home visit was completed. At that point, the offender informed this officer he had moved to Airway Heights, Washington, to live with his son, over the weekend.

An initial home inspection of the proposed residence was subsequently scheduled for the next day, on August 28, 2024. It should be noted, the offender made no mention of moving in with his adult son until after he was informed that a relocation request would not be processed until a home visit was conducted.

2 **Standard Condition #4:** You must be truthful when responding to the questions asked by the probation officer.

Supporting Evidence: On August 27, 2024, Byron Ginn allegedly violated standard condition number 4 by failing to be truthful with the probation officer.

On August 28, 2024, this officer went to Apple Grove Apartments, where the offender was previously approved to reside. According to the property manager, Mr. Ginn had given them notice he would be vacating the property in July 2024 and was fully moved out before July 31, 2024. That information was totally contradictory to the information provided by the offender the day prior.

Upon confirming with her paperwork, the manager provided this officer with the client's forwarding address. The forwarding address Mr. Ginn provided the apartment complex was located in Coeur d'Alene, Idaho, and was the same address he provided the U.S. Probation Office for his fiancée; it is also the address he would like considered for relocation.

On August 28, 2024, this officer met with Mr. Ginn at his son's apartment in Airway Heights. During the home inspection, the undersigned noted a lack of any personal property belonging to the offender in the apartment, particularly near the couch where he claimed to be living.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

Prob12C

Re: Ginn, Byron Thomas**September 10, 2024****Page 3**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/11/2024

s/Amber M.K. Andrade

Amber M.K. Andrade

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Thomas O. Rice

United States District Judge

September 11, 2024

Date